

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| <i>In re</i> Application of |) | |
| |) | (Prior Group Art Unit: 1642) |
| David HUNG |) | |
| |) | (Prior Examiner: S. Huff) |
| Serial No. tba |) | |
| |) | |
| Filed: even herewith |) | Atty. Dkt. No. 005284.00195 |

For: **IDENTIFYING MATERIAL FROM A BREAST DUCT**

INFORMATION DISCLOSURE STATEMENT

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

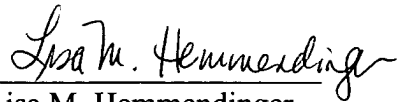
Dear Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, enclosed are four PTO Forms-1449 listing documents for consideration by the Examiner during the prosecution of the subject application. All cited art was previously disclosed or cited in parent application Serial No. 09/625,399 filed July 26, 2000. Copies of the cited art are available in the parent application.

Applicant wishes to call the Examiner's attention to the allowed claims of parent application Serial No. 09/625,399 and of Serial No. 09/800,970. Both applications are listed on an enclosed PTO Form-1449.

Respectfully submitted,

Dated: July 21, 2003

By: 
Lisa M. Hemmendinger
Registration No. 42,653

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| FORM PTO-1449 (Modified) | | | Attorney Docket No.: 005284.00195 | | Application No.: tba | |
|---|---|----------|-----------------------------------|-------|----------------------|---------------------------------|
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | | Applicant: DAVID T. HUNG | | | |
| | | | Filing Date: July 21, 2003 | | Group: tba | |
| Reference Designation | | | U.S. PATENT DOCUMENTS | | | Page 1 of 4 |
| Examiner Initial | Document No. | Date | Name | Class | Sub-class | Filing Date (If Appropriate) |
| ___ AA | 4,782,015 | 11/1/88 | Allison et al. | | | |
| ___ AB | 5,478,556 | 12/26/95 | Elliot et al. | | | |
| ___ AC | 5,652,115 | 07/29/97 | Marks et al. | | | |
| ___ AD | 5,763,415 | 06/09/98 | Sukamar | | | |
| ___ AE | 5,798,266 | 8/25/98 | Quay et al. | | | |
| ___ AF | 5,914,238 | 6/22/99 | Keese et al. | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
| | Document No. | Date | Country | Class | Sub-class | Translation (Yes/No) |
| ___ AG | EP0319686 | 06/14/89 | Europe | | | |
| ___ AH | WO 97/05898 | 2/20/97 | PCT | | | |
| | | | | | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | |
| ___ AI | Barnes and Masood, "Potential value of hormone receptor assay in carcinoma in situ of breast" A.J.C.P., Nov. 1990, vol. 94, no. 5, 533-537 | | | | | |
| ___ AJ | Barnes et al. "Low nm23 protein expression in infiltrating ductal breast carcinomas correlates with reduced patient survival" Am J. Path; vol. 139, no. 2, 8/91 | | | | | |
| ___ AK | Berntsen et al. "Influence of Treatment with Aminoglutethimide on Plasma and Red-Blood-Cell Glutathione Status in Breast Cancer Patients." Cancer Chemother Pharmacol. 1998. Vol 42, pages 46-52. | | | | | |
| ___ AL | Boccuzzi et al. "Breast Duct Fluid Dehydroepiandrosterone sulphate in Fibrocystic Disease." European J. Cancer and Clinical Oncology. August 1987. Vol 23, pages 1099-1102 | | | | | |
| ___ AM | "Cancer detection techniques shown." Santa Barbara News Press 8/3/71 | | | | | |
| ___ AN | Cassels, "New test may speed breast cancer detection." The Medical Post March 20, 1973 | | | | | |
| ___ AO | Ernster et al. "Benign and malignant breast disease: initial study results of serum and breast fluid analyses of endogenous estrogens." JNCI vol 79 no. 5 | | | | | |
| ___ AP | Fabian, et al. "Biomarker and cytologic abnormalities in women at high and low risk for breast cancer" J of Cellular Biochemistry 17G:153-160 (1993) | | | | | |
| ___ AQ | Fabian, et al. "Prevalence of abnormal biomarkers in fine needle breast aspirates in high risk populations." 1993 Proc. Ann Meeting Am Assoc. Cancer Res. 34:A1556 | | | | | |
| ___ AR | "Finding asymptomatic breast cancer." Medical World News July 23, 1971 | | | | | |
| ___ AS | Fryckberg, et al. "Ductal carcinoma in situ of the breast." Surgery, Gynecology & Obstetrics 10/93 vol 177 | | | | | |
| ___ AT | Gilbert, et al. "A pilot study of Pi-class glutathione s-transferase expression in breast cancer: correlation with estrogen receptor expression and prognosis in node-negative breast cancer." J. of Clin Oncology, vol 11, no. 1 1/93:pp 49-58 | | | | | |
| ___ AU | Goodson & King. "Discharges and secretions of the nipple. The Breast, Comprehensive management of benign and malignant diseases" 2nd ed vol 2. 1998 | | | | | |
| ___ AV | Head et al. assessment of immulogic competence and host reactivity against tumor antigens in breast cancer with vaccines. vol. 690 of the Annals of the NY Academy of Sciences 8/12/93 | | | | | |
| ___ AW | Imayama, et al. "Presence of elevated carcinoembryonic antigen on absorbent disks applied to nipple are of breast carcinoma patients." Cancer Sept 15, 1996 vol 78 no. 6 | | | | | |
| ___ AX | JAMA May 7, 1973; vol 224, no. 6 pgs 823-827 | | | | | |
| ___ AY | King, et al. "Analytic studies of foam cells from breast cancer precursors." Cytometry 5:124-130 (1984) | | | | | |

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| | | Filing Date: July 21, 2003 | Group: tba |
| _____ AZ | King, et al. "Cellular composition of the nipple aspirate specimen of breast fluid." AJCP vol 64 Dec 1975 pp 728-738 | | |
| _____ BA | Kristensen et al. "A rare CYP19 (aromatase) variant may increase the risk of breast cancer." Pharmacogenetics. 1998. Vol. 8, pages 43-48 | | |
| _____ BB | Lobsenz. "A new way to detect breast cancer early." Good House Keeping Jan 1975 | | |
| _____ BC | Love et al., "Breast-duct Endoscopy to Study Stages of Cancerous Breast Disease." 12 October 1996. Vol. 348 pages 997-999. | | |
| _____ BD | Love. "Collection and analysis of nipple aspirate fluid in the early detection of breast cancer." Windy Hill Technology, Inc. NAF Focus Group Study september 18, 1998 | | |
| _____ BE | Lu et al. "The Effects of Aromatase Inhibitors and Antiestrogens in the Nude Mouse Model." Breast Cancer Research and Treatment 1998. Vol 50, pages 63-71 | | |
| _____ BF | Masood & Johnson. "The value of imprint cytology in cytochemical detection of steroid hormone receptors in breast cancer." AJCP vol 87 No 1 pp 30-36 | | |
| _____ BG | Masood, et al. "Breast health Challenges and Promises." J. Florida M.A. Aug/Sept 1996/Vol. 83, No. 7 pp 459-465 | | |
| _____ BH | Masood. "Fluorescent cytochemical detection of estrogen and progesterone receptors in breast fine-needle aspirates." AJCP 1/91 | | |
| _____ BI | Masood. "The missing link: a 'pap smear' for early breast cancer detection and prevention." The Breast Journal, vol 5 number 1, 1999 pp. 1-2 | | |
| _____ BJ | Nass, et al. "Breast cancer biology blossoms in the clinic." Nature Medicine vol 4 No. 7 July 1998 | | |
| _____ BK | Newman, et al, J Natl Cancer Inst. 1979 Dec. 63(6):1339-46 | | |
| _____ BL | North, et al. "Vasopressin gene related products are markers of human breast cancer." Breast Cancer Research and Treatment 34:229-235, 1995 | | |
| _____ BM | Okazaki, et al "Relationship between cytologic results and the extent of intraductal spread in nonpalpable breast cancers with nipple discharge" Tumor Res. 31, 89-97 (1996) | | |
| _____ BN | Papanicolaou et al. "Exfoliative cytology of the human mammary gland and its value in the diagnosis of cancer and other diseases of the breast." Cancer March-April 1958, 11(2): 377-409 | | |
| _____ BO | Pertschuk et al. "Estrogen receptor immunochemistry in endometrial carcinoma." Gynecologic Oncology 63, 28-33 (1996) pp28-33 | | |
| _____ BP | Petrakis & King. "Genetic markers and cancer epidemiology." Cancer April supp 1977 vol 39 pp1861-1866 | | |
| _____ BQ | Petrakis et al. "Epithelial dysplasia in nipple aspirates of breast fluid: association with family history and other breast cancer risk factors." JNCI vol 68 no. 1 1/82 | | |
| _____ BR | Petrakis; "Nipple aspirate fluid in epidemiologic studies of breast disease." Epidemiologic Reviews vol 15 no. 1 1993 | | |
| _____ BS | Phillips, et al. "Nipple Aspirate Fluid in Relation to breast Cancer." The Breast. Auust 1999, Vol. 8, No. 4, pages 169-174 | | |
| _____ BT | Rose, et al. "A Comparison of Serum and Breast Duct Fluid Immunoassayable prolactin and Growth Hormon Woman and and Patients with Cystic Breast Disease." Cancer, December 1, 1987. Vol 60. No. 11, pages 2761-2765. | | |
| _____ BU | Rose. "Hormones and Growth factors in Nipple aspirates from normal women and benign breast disease patients." Cancer Detection and Prevention vol 16, Issue 1 1992 | | |
| _____ BV | Rosner et al. "Diagnosis of breast carcinoma with radiolabeled monoclonal antibodies to carcinoembryonic antigen and human milk fat globulin." Cancer Investigation, 13(6), 573-582 (1995) | | |
| _____ BW | Sartorius et al. "The biochemistry of breast cyst fluids and duct secretions." Breast Cancer Research and Treatment 35:255-266 1995 | | |
| _____ BX | Sartorius, "Cytologic evaluation of breast fluid in the detection of breast disease" J Nat'l Cancer Inst vol 59 no. 4 Oct 1977 pp. 1073-1080 | | |
| _____ BY | Sauter et al, "Nipple aspirate fluid: a promising non-invasive method to identify cellular markers of breast cancer risk" 1997 British J. Cancer 76(4):494-501 | | |
| _____ BZ | Sauter et al. "Prostate specific antigen levels in nipple aspirate fluid correlate with breast cancer risk, Cancer Epidemiology vol. 5, 967-970, 12/96 | | |
| _____ CA | Strah & Love. "The in situ carcinomas of the breast." JAMWA vol 47 No 5 sept /Oct 1992 | | |

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| | | Filing Date: July 21, 2003 | Group: tba |
| _____ CB | Sukumar & McKenzie, "Molecular genetics of human breast cancer." Cellular and molecular mechanisms of hormonal carcinogenesis: Environmental influences, ISBN 0-471-02202-0 1996 | | |
| _____ CC | Sukumar & McKenzie, "Breast cancer prevention strategies for the twenty first century" Molecular Medicine Today 11/96 | | |
| _____ CD | Vetvicka, et al. "Human breast milk contains procathepsin D-detection by specific antibodies." Biochemistry and Molecular Biology International vol 30, no. 5, 8/93 pp. 921-928 | | |
| _____ CE | Vorherr, H. "Endocrinology of Breast Cancer." Maturitas. 1987, Vol. 9, pages 113-122 | | |
| _____ CF | Wrensch, et al. "Breast cancer risk associated with abnormal cytology in nipple aspirates of breast fluid and prior history of breast biopsy." Am J. of Epidemiology vol 137 no. 8 1993 | | |
| _____ CG | Wrensch, et al. "Breast cancer incidence in women with abnormal cytology in nipple aspirates of breast fluid" Am. J. of Epidemiology vol 135 no. 2 1992 | | |
| _____ CH | Wynder et al. "Breast Secretion in Finnish Women: a metabolic epidemiologic study," Cancer 47: 1444-1450, 1981 | | |
| _____ CI | Wynder et al, "Prolactin Oestrogen, and Lipids in Breast Fluid." The Lancet 22 October 1977. Vol. 2 No. 8043, pages 840-842. | | |
| _____ CJ | Zippin & Petrakis, "Identification of high risk groups in breast cancer." Cancer vol 28 pp 1381-1387 Dec 1971 | | |
| _____ CK | "Pap' test for breast cancer" periodical clipping re: Dr. Sartorius | | |
| EXAMINER | | DATE CONSIDERED | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | tba |
| | | | | Filing Date | July 21, 2003 |
| | | | | First Named Inventor | David T. Hung |
| | | | | Group Art Unit | tba |
| | | | | Examiner Name | tba |
| Sheet | 4 | of | 4 | Attorney Docket Number | 005284.00195 |

| U.S. PATENT DOCUMENTS | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials * | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number - Kind Code ² (if known) | | | |
| CL | | Serial No. 09/625,399 | | Hung | |
| CM | | Serial No. 09/800,970 | | Hung | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|--|--------------------------------|---|--|----------------|
| Examiner Initials * | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| CN | | WO 00/70349 | 11-23-2000 | | | |

| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS | | | |
|--|--------------------------|---|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| CO | | Azavedo et al., Anticancer Research 6:263-266, 1986. | |
| CP | | Database Embase on Dialog. No. 06717313, Chinese Journal of Clinical Oncology 23/6:381-385, 1996. | |
| CQ | | Hou et al., Radiology, Vol. 195 p. 568 (1995). | |
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| Examiner Signature | | Date Considered | |
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